

10/20/99
Jc649 U.S. PTO

GW98-0865

Patent Application

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kim C. Smith, Theodore David Wugofski, Michael Mostyn and Thomas A. Kayl

Entitled: SIMULATED THREE-DIMENSIONAL NAVIGATIONAL MENU SYSTEM

Jc642 U.S. PTO
09/421580
10/20/99

Box PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

"EXPRESS MAIL" Mailing Label No. EJ197257469US

Date of Deposit 10/20/99
I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231

Type or Print Name Raymond M. Galasso

Signature *Rm M. Galasso*

Dear Sir:

REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

- X 1. Specification, claims and abstract of the above-referenced patent application having 42 pages.
- X 2. 12 sheet(s) of drawing(s) (X formal / informal) comprising Figures 1 through 12 .
- X 3. Declaration and two 2 executed Power of Attorney's (X signed unsigned).
- 3A. No filing fee, Oath, or Declaration is enclosed pursuant to 37 C.F.R 1.53(d).
4. Information Disclosure Statement along with Form PTO-1449 and references.
5. This is a: Continuation-In-Part; Divisional; Continuation; substitute Application (MPEP 201.09) of Application Serial No. filed ; reissue of U.S. Patent No. filed on .
- An extension to extend the life of the above prior Application to at least the date of filing hereof

(One box must be marked)

- (a) _____ is concurrently being filed in that prior Application,
(b) _____ was previously filed in that prior Application,
(c) _____ is not necessary for copendency.

 X 6. Attached is an assignment to **GATEWAY, INC and SPOTWARE TECHNOLOGIES, INC.** Please return the recorded assignment to the undersigned.

_____ 7. Priority is claimed under 35 U.S.C. § 119 based on filing in _____.

	<u>Application No.</u>	<u>Filing Date</u>
(1)	_____	_____
(2)	_____	_____
(3)	_____	_____

_____ (No.) Certified copy (copies) _____ are attached; or _____ were previously filed on _____.

_____ 8. Attached: _____ (No.) verified statement(s) establishing "small entity" status under 37 CFR § 1.9 and 1.27.

 X 9. Attached:

 X Return Postcard
_____ (Other)

_____ 10. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

11. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 10.

					SMALL ENTITY RATE		LARGE ENTITY RATE		
BASIC FEE					\$380	<u>OR</u>	\$760	=	\$760.00
	NUMBER FILED			NUMBER EXTRA					
TOTAL CLAIMS	52	-20	=	32 (at least 0)	x 9	<u>OR</u>	x 18	=	\$576.00
INDEP. CLAIMS	4	-3	=	1 (at least 0)	x 39	<u>OR</u>	x 78	=	\$ 78.00
If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.)					+\$130	<u>OR</u>	+\$260	=	+\$
If assignment is x'd (item 6), add recording fee \$40.00									+\$ 80.00
Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130									+\$
TOTAL FILING FEE									= \$1494.00

12. A check in the amount of _____ to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Thompson & Knight Deposit Account No. _____.
- X 13. Please charge GATEWAY 2000, INC., Deposit Account No. 50-0439 in the amount of \$ 1,494.00 the Filing Fee calculated in Item 11. This sheet is attached in duplicate.
- X 12. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, and to have and cause any necessary petition for extension of time to be filed and any fees necessary to be paid for said extension of time OR credit any overpayment to GATEWAY 2000, INC. Deposit Account No. 50-0439, for which purpose a duplicate copy of this sheet is attached. **The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.**

Respectfully submitted,
Kim C. Smith,
Theodore David Wugofski,
Michael Mostyn, and
Thomas A. Kayl

By: Raymond M. Galasso

Raymond M. Galasso
Reg. No. 37,832

THOMPSON & KNIGHT L.L.P.
1200 San Jacinto Center Town Lake
98 San Jacinto Boulevard
Austin, TX 78701-4081
Telephone: (512) 469-6169
Facsimile: (512) 469-6180